

9/19/02

**DECISION NOTICE  
and  
FINDING OF NO SIGNIFICANT IMPACT**

**BURNT FLATS WATERSHED REHABILITATION PROJECT**

USDA Forest Service  
Nez Perce National Forest  
Salmon River Ranger District  
Clearwater Ranger District  
Idaho County, Idaho

**A. INTRODUCTION**

The Nez Perce National Forest has analyzed and documented the effects of a proposal to improve hydrologic condition in the Burnt Flats Fire area, White Bird Creek watershed, in an Environmental Assessment.

The purpose of the Environmental Assessment (EA) was to disclose direct, indirect, and cumulative effects of the proposed action and alternatives to it. The project will be carried out on the Salmon River and Clearwater Ranger Districts of the Nez Perce National Forest in Idaho County, Idaho in accordance with the Nez Perce National Forest Plan Record of Decision.

**B. PROPOSED ACTION**

The Salmon River and Clearwater Ranger Districts of the Nez Perce National Forest analyzed the decommissioning of 11-15 miles of road, improving other roads, and replacing a bridge in the Burnt Flats Fire area, White Bird Creek watershed. This proposal would continue restoration and enhancement of the fire area by improving hydrologic stability and connectivity through road management in the White Bird Creek watershed. The proposed project is planned to begin in the fall of 2002.

Specifically, the proposed action was:

<b>Road Number</b>	<b>Decommission Length</b>	<b>Proposed Treatment</b>
221J	0.9 miles	Recontour, remove culverts.
243A	0.1 mile	Improve creek crossing, recontour last 0.1 mile
243A1	0.2 mile	Rip and decompact.
479		Improve culverts at creek crossings (4 crossings)
642		Replace bridge over S. Fk. White Bird Cr., improve culvert at Little White Bird Cr. crossing
1112B	1.0	Limited recontouring, at road junctions.
1112B1	1.0	Limited recontouring, at road junctions.
1112C1	1.0	Limited recontouring, at road junctions.
1112C4	0.6	Limited recontouring, at road junctions.

<b>Road Number</b>	<b>Decommission Length</b>	<b>Proposed Treatment</b>
1856		Improve drainage, replace surface gravel
1870	1.5 miles	From jct. with 9341 to end, decommission to trail status by installing water bars and controlling access. Remainder, improve drainage and replace rock.
9301 east end	1.5 miles	Recontour to motorized trail status.
9301 west end	1.5 miles	Recontour to motorized trail status, remove creek crossing on Little White Bird Creek.
9301 central		Replace gravel.
9323A	0.1 mile	Rip and decompact.
9323C	0.8 miles	Limited recontouring.
9340		Improve drainage, replace surface gravel
9341	0.8 mile	Recontour
9347	0.9 mile	Decompact, rip, limited recontouring.
9347A	0.1 mile	Recontour.
9443	1.3 miles	Recontour.
76258	0.1	Rip and decompact.
76259	0.3	Rip and decompact.
76260	0.4	Rip and decompact.
76261	0.2	Rip and decompact.
76262	0.1	Rip and decompact.
76263	0.3	Rip and decompact.
76264	0.2	Rip and decompact.
76738	0.2	Limited recontour at road junctions.
76739	0.2	Limited recontour at road junctions.
76740	0.2	Limited recontour at road junctions.

### **C. PURPOSE AND NEED FOR THE PROPOSED ACTION**

The purpose of this project is to improve watershed conditions that have deteriorated due to direct and indirect effects of the Burnt Flats Fire in 2000. Even before the fire, the White Bird Creek watershed was below Forest Plan fish habitat objectives. Specifically, insufficient acting and potential woody debris, low pool frequency, and high water temperatures contribute to reduced fish habitat potential. (See Fish Habitat report in the Project File.) The fire and associated activities resulted in additional hydrologic disturbance.

White Bird Creek is high priority habitat for spring chinook salmon and steelhead trout, both listed under the Endangered Species Act. Specific Forest Plan objectives for each stream are described in Forest Plan Appendix A and Forest Plan Amendment 20. Currently, none of the streams exceeds the Forest Plan standards for sediment (see Hydrology Report in the Project File). The National Marine Fisheries Service Biological Opinion on the Forest Plan, and our ongoing consultation on TES species provide additional direction.

Over the last 30 years, many researchers have analyzed the environmental impacts of logging roads. Most recent research examines specific questions about how roads affect hydrology. Wemple (1996) describes how roads impair hydrologic function. Wemple cites multiple studies examining road construction's "effects on hydrologic and geomorphic processes, including increased rates of surface erosion and landsliding, changes in peak flow magnitude, and attendant impacts on stream sedimentation and channel morphology." These interactions can be complex.

Two of the more common interactions include interception of shallow subsurface flow and reduced precipitation infiltration. Changing naturally subsurface flow to surface flow, restricting the amount of precipitation that infiltrates to the subsurface and linkage to existing stream channels creates a situation of increased hydrologic connectivity; where roads are acting as extensions of stream channels (Reid and Dunne, 1984; Luce and Cundy, 1994) (Megahan, 1972; Sullivan and Duncan, 1981). Where hydrologic connectivity exists the length and timing of peak flows can change, runoff volume can increase, and sediment production can increase.

Road decommissioning serves to ameliorate many of the problems identified above. Levels of decommissioning vary with to the degree of impact a segment of road has on the watershed's hydrologic function. Generally, road decommissioning improves hydrologic function. Decompacting road surfaces increases infiltration, reduces hydrologic connectivity, re-establishes groundwater flow pathways, and promotes revegetation, eventually restoring vegetative interception and transpiration processes.

All the above mentioned benefits serve to reduce sediment production, decrease landslide or channel crossing failure risks, restore timing and volume of peak flow events and mitigate changes to downstream channel morphology. The Burnt Flats Fire, by removing vegetation, and fire suppression activities, by disturbing old road surfaces, combined to reduce hydrologic function in the watershed.

Aquatic processes and conditions, primarily stream/riparian function and sediment regimes have been altered from historic levels (USDA 1998). Roding has impacted the watershed by causing changes in the sediment regime (principally increased surface erosion), changes in surface water concentration and discharge, and constricting channels in sections of the watershed (USDA, 1999). Currently there are approximately 220 miles of road within the watershed. These roads have contributed to an increase in the modeled sediment yield of 13% over the natural base (for a detailed explanation of sediment yield see Chapter Three of the EA, Sediment Yield).

Water quality limited streams in the project area include Pinnacle Creek and Little White Bird Creek (State of Idaho, 303 (d) list. 1998.). These streams are listed as Water Quality Limited Segments (WQLS). Sediment is listed as the pollutant of concern.

The purpose of the road decommissioning project is to restore hydrologic processes and functions.

#### **D. EXISTING LEGAL GUIDANCE AND ENVIRONMENTAL ANALYSIS**

Development of this EA is based on direction contained in the National Forest Management Act of 1976 (NFMA) and its implementing regulations 36 CFR 219; the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental

Quality (CEQ) regulations 40 CFR 1500-1508; the National Historic Preservation Act and its accompanying regulations 36 CFR 800; the Federal Water Pollution Control Act (Clean Water Act) together with regulations in 40 CFR 130; and the Endangered Species Act along with regulations in 50 CFR 402.06.

The Nez Perce National Forest Plan (Forest Plan) provides direction for management of the Forest and is incorporated by reference. The Nez Perce Tribe Treaty of 1855 guides management of ceded lands, which include the project area, and is incorporated by reference. The Nez Perce National Forest Final Environmental Impact Statement (FEIS) contains discussions of associated environmental impacts and analyzes the effects of the management decision (of the Forest Plan) as documented in the Forest Plan Record of Decision.

The Nez Perce National Forest's Forest Plan Appendix A lists Pinnacle Creek, Jungle Creek, and Little White Bird Creek, all tributaries to White Bird Creek, as not meeting the fish habitat potential goal. Recent field data indicate that none of the streams in the watershed meets fish habitat potential goals.

## **E. LOCATION**

The proposed project is located on the Salmon River and Clearwater Ranger Districts, Nez Perce National Forest, in the White Bird Creek watershed. White Bird Creek is a tributary of the lower Salmon River. The watershed drains approximately 66,500 acres, bordered on the north by High Camp, on the east by Lone Fir Hill, and on the south by Free Use Ridge.

The area contains portions of T.28N., R.2 and 3E.; and T.29N., R.3E.

## **F. ALTERNATIVES CONSIDERED**

Two action alternatives were considered. These alternatives comply with legal standards, meet the purpose and need for the project described in the EA, resolve the issues raised in public scoping, and are responsive to the road surveys.

### **Alternative 1 – No Action Alternative**

Development of this alternative is consistent with Forest Service Handbook 1909.15 (23.1) and the Council on Environmental Quality Regulations (40 CFR 1502.14 (d)), and continues current management in the area in compliance with the Forest Plan. The no action alternative would keep the existing roads in place and would continue the current level of maintenance which includes inspection and clearing of existing culverts. This alternative would not preclude future options for needed repair. The No Action Alternative provides a base line for estimating the effects of other alternatives.

### **Alternative 2 – Proposed Action**

The proposed action is to decommission 11 miles of road, convert 4.5 miles of road to motorized trail, improve sections of six roads within the fire area, and replace the bridge on Road 642 over the South Fork White Bird Creek, to improve hydrologic integrity in the Burnt Flats Fire area. This project was originally proposed for National Fire Plan funding following the Burnt Flats Fire.

### Alternative 3

The roads analysis completed for this area shows about 70 miles of road in the watershed are problematic due to proximity to stream channels, location on landslide prone landforms, surface erosion, number of stream crossings, interruption of hillslope processes, and impacts to hydrologic connectivity. (The roads analysis can be found in the project file.) About half of these road miles are also needed for recreation, fire management, grazing administration, silvicultural treatments, or general forest access.

This alternative proposes to fix the roads that have the most impact on hydrologic function. Sections of 13 roads would be improved, and 15 miles of road would be decommissioned.

### Alternatives Eliminated from Detailed Study

The interdisciplinary team considered an alternative that would treat all the roads in the watershed with an identified watershed concern (see IDT notes in the project file). This totaled about 70 miles of road. However, funding to do that much work is not available, and an analysis at that scale would have taken quite a bit longer to complete. To get rehabilitation work done on some of the worst problem areas, we chose not to develop that alternative further. As funding becomes available in the future, more of the roads identified in the roads analysis can be considered for treatment.

### G. THE DECISION

After reviewing the analysis work documented in the EA and the project file, and considering the additional comments received during the 30-day comment period, we have decided to implement Alternative 3 as described above, with two modifications. First, we'll convert the west end of Road 9301 to an ATV trail, as described in Alternative 2. During scoping, this was identified as an important route for grazing distribution and management, and for OHV recreation use. Second, road 76427 (1.8 miles) was revisited and found to be stable. We will not do any additional work on it. In addition, we revisited roads 642A and 243A. The 642A road continues outside of the analysis area, and we will defer treatment there until the entire road is reviewed. Road 243A will instead be stabilized through road improvements on the entire length. We will instead decommission roads 1112B (1.9 miles), 1112C1 (1.0 miles), 1112C4 (0.6 mile), 76738 (0.2 mi.), and 76740 (0.2 mi.) in the Goose Creek drainage as proposed in Alternative 2, which will reduce road densities there. These are the next highest priority for watershed improvement. Implementation is planned to begin in the fall of 2002 and continue seasonally until completed. The following table lists the roads and the specific work to be done.

<i>Road Number</i>	<i>Approximate Decommission Length</i>	<i>Proposed Treatment</i>
221J	0.9	Recontour.
243A		Improve drainage.
479F		Improve 2 stream crossings.
642		Replace bridge over S. Fk. White Bird Creek. Improve

<i>Road Number</i>	<b>Approximate Decommission Length</b>	<b>Proposed Treatment</b>
		culvert at Little White Bird Creek crossing.
1112B*	1.9	Limited recontouring.
1112B1	1.0	Limited recontouring at road junctions.
1112C		Improve drainage.
1112C1*	1.0	Limited recontouring.
1112C2		Stabilize failed cut and fill slopes
1112C4*	0.6	Limited recontouring at road junctions.
1856		Improve drainage & stream crossing, replace surface gravel.
1856B		Improve drainage.
1856D		Improve drainage.
9301		Improve drainage & stream crossings, middle section.
9301*	(1.5)	Convert 1.5 miles on west end to ATV trail status.
9301	1.5	Recontour east end.
9302A		Improve drainage & stream crossings.
9341		Repair three failures.
9341	0.8	Recontour end of road
9419		Improve drainage where road encroaches on stream.
9443	1.4	Recontour.
76254	1.0	Limited recontouring.
76254A	0.1	Limited recontouring.
76255	0.5	Limited recontouring.
76255A	0.4	Limited recontouring.
76255A1	0.2	Limited recontouring.
76255A3	0.2	Limited recontouring.
76255A4	0.2	Limited recontouring.
76402	0.6	Limited recontouring.
76407	0.2	Limited recontouring.
76421	0.3	Limited recontouring.
76424	0.3	Recontour.
76425	0.5	Recontour.
76680	0.6	Limited recontouring.
76738*	0.2	Limited recontouring at road junctions.
76739	0.4	Recontour.
76740*	0.2	Limited recontouring at road junctions.
103174A	0.4	Recontour.

\*from Alternative 2

## H. RATIONALE FOR THE DECISION

The decision criteria we used in making this decision are based on the issues identified through agency and public comments. The concerns we addressed include risk of road

failures, disrupted slope hydrology, sediment production, degraded road conditions (determined from road inventory surveys conducted the summer of 2001), cost of implementation, and access issues.

We have selected Alternative 3 (with the modifications discussed above) for the following reasons:

1. This alternative treats the most miles of road identified as disruptive to hydrologic function.
2. This alternative retains access on roads that are currently open to ATV use. This will maintain motorized recreation opportunities.
3. This alternative achieves our objectives (defined by the Purpose and Need section of the EA and Decision Notice) most effectively and efficiently with no significant disturbance to surrounding areas and resources.

## **I. MITIGATION MEASURES**

The following mitigation measures will be required for implementation. We dropped the requirement for instream sediment traps because contract provisions require a sediment control plan. Sediment can be controlled with any one of a number of different measures, and the contract work plan will provide those details.

1. Construction – Standard construction practices to reduce sedimentation during culvert removal on live streams.
  - Dewater sites during construction activities.
  - Shape slopes adjacent to the streams to approximate the natural contour. Seed and mulch.
  - Use native, certified, weed-seed-free seed mixes. Use mulch that is certified weed-seed free.
  - Supplement natural regeneration of shrubs and trees as necessary.
  - Place available slash and downed logs on the disturbed soil to reduce erosion, except in areas a trail is to be maintained.
2. Require a spill prevention and control plan approved by the contracting officer for handling and storage of petroleum products.
  - Store petroleum products in excess of 200 gallons within containment structures with an impervious liner of volume equal to or larger than the storage container. Locate the containment structure more than 100 feet from live water.
  - Prohibit fuel or other toxic material storage within the riparian habitat conservation area.
  - Do not permit waste disposal of petroleum products on National Forest lands.
3. Seed and mulch areas of disturbance immediately upon completion of work in that area. Monitor effectiveness of this mitigation and reseed/mulch as needed.
4. Thoroughly wash all equipment used in the work activities before entering the National Forest to mitigate the potential for introduction of noxious weeds.

5. Restrict construction activities near live water where there is potential for direct effects to listed fish to the period July 1 through August 15, to reduce impacts to spawning fish and incubating eggs.
6. Implement heritage resource mitigation measures:
  - Avoidance: Avoid historic properties (no project activities performed here, with an adequate buffer zone around the site) so the resource can be preserved and protected in its current state. The site type may dictate the type of avoidance required, depending upon the proposed activity, e.g. restricted access vs. road decommissioning. Restricting access to an area where a site is located may be a form of avoidance implemented for certain sites.
  - Data Recovery: Mitigate for significant sites, if project activities are such that avoidance is not possible. Subsurface archaeological excavation or some other form of highly intensive documentation may be needed. This should be determined on a case-by-case basis depending on the site, where it is located, and the proposed activity for that area.
  - Monitoring: Monitor project work during implementation where avoidance is not possible and after other mitigation measures have been implemented (such as data recovery). An archaeologist, on a case-by-case basis, as needed, would perform the monitoring.
7. Implement protection measures, including avoidance or design changes, where full recontouring of roads and road improvements overlap with sensitive plant species. Identify areas in the field before implementation.

## **J. PUBLIC PARTICIPATION**

The NEPA scoping process (40 CFR 1501.7) was used to identify the issues and opportunities specified by NFMA (36 CFR 219.12 (b.)). This process is briefly outlined below:

1. A proposed action was developed based on the existing condition and the desired condition of the landscape in the White Bird Creek Watershed.
2. An Interdisciplinary approach was taken.
3. Public participation was solicited through two methods: (1) direct mailings to groups and individuals on the Salmon River and Clearwater Districts' NEPA mailing lists, on April 22, 2002; and (2) a public notice published in the Idaho County Free Press on May 1, 2002, briefly explaining the proposed action and requesting comments on issues associated with the proposed action.
4. Forest headquarters and district specialists were contacted to solicit issues, related to the proposed action.
5. Appropriate government agencies, such as the U.S. Fish and Wildlife Service, National Marine Fisheries Service, the Idaho Fish and Game, the Nez Perce Tribe, and adjacent and affected landowners were contacted.
6. The Environmental Assessment was printed and mailed to those who commented on the scoping letter, adjacent landowners, other government agencies, and Nez Perce tribal representatives. The comment period ran from June 11, 2002, through July 11, 2002.



## K. RESPONSE TO COMMENTS

*The southwest end of Road 9301, planned for obliteration, is currently used as a cattle driveway by the range permittee, and as a motorized recreation route. The northeast end of Road 9301, also planned for obliteration, is currently not passable, but would be useful for both cattle management and as a recreation route.*

In response to these comments, we have decided to decommission the west end of the road to motorized trail status, as analyzed in Alternative 2. We took a close look at the east end, reviewing road inventory records and revisiting the road on the ground. There are numerous water interception, ponding, and water/sediment delivery problems along this section of the road. While it would be a nice additional motorized recreation route, it is not currently usable, so decommissioning will not reduce current recreation opportunities. To improve hydrologic conditions, we will decommission and recontour 1.5 miles on the east end of the road as analyzed in Alternative 3.

*Incorporate the issues from the October 6, 2000, letter from Friends of the Clearwater, et al.*

While the October 6, 2000 document is general in nature, and not specific to this project, a review shows that it advocates watershed rehabilitation, road obliteration, wildlife and fish habitat improvement, improved soil productivity, and preservation of cultural resources, all of which are addressed in this analysis and will benefit from project implementation. Other issues relate to vegetation management, which are irrelevant to the actions proposed here.

*Incorporate comments on the Burnt Flats timber sale EA from Friends of the Clearwater, et al.*

These comments are not specific to this proposal, and are outside the scope of our analysis. This project proposal is not mitigation for the timber sale project. This project addresses the concerns for soil, water quality, and fisheries resources, generated by the Burnt Flats Fire, related to the existing road system.

*Incorporate the Evaluation of the Nez Perce National Forest Monitoring and Evaluation Reports from Friends of the Clearwater.*

These reports are directly related to the Forest Plan, and are not project specific. Evaluations, likewise, apply to the Plan as a whole, but are not applicable at the project level. A debate over and analysis of the efficacy of Forest Plan monitoring are beyond the scope of this assessment.

*The purpose and need is unclear.*

The purpose, as stated in the EA, is to reduce sedimentation and risk of failure of the existing road system. The effects of the Burnt Flats Fire and fire suppression activities in 2000 generated the need.

*It's inconsistent to have a timber sale, claiming no negative impacts, and propose watershed rehabilitation as a needed activity, implying that the watershed is not in good condition.*

The effects of the Burnt Flats Timber Sale are discussed in the Burnt Flats Salvage EA, Chapter 3, pages 19-130. The effects that this watershed rehabilitation project addresses are effects generated by the Burnt Flats fire and fire suppression activities.

The purpose and need for the Burnt Flats Salvage project was to maximize salvage opportunities while minimizing impacts on other resources. The Burnt Flats watershed rehabilitation project primarily focuses on the existing road system with the majority of this road system not associated with the Burnt Flats Timber Sale.

*There is no discussion of the actual effectiveness of the BAER activities in achieving objectives.*

This is outside the scope of this project. The roads analysis completed for this project incorporated site-specific inventories of the road system. Watershed concerns related to the roads were documented regardless of the activity that caused the concern.

*Fire suppression activities were taken in 2000, but the EA fails to analyze these impacts.* The effects of suppression activities were considered and were used to identify roads needing rehabilitation.

*The EA gives little information on the relative effectiveness of various road closure practices.*

The same practices are included in both action alternatives. The difference in the alternatives is in which roads are proposed for treatment, and how many of them have recognized watershed concerns. Treatments will be designed to address those specific concerns on each road. The road inventory is available at the Salmon River Ranger District. These treatments will also more effectively close roads that have existing road use restrictions, especially those identified for decommissioning.

*There is little comparison in this EA with impacts from the Burnt Flats timber sale, and how it affects the watershed improvement project.*

The timber sale was considered part of the existing condition for this analysis, as it had been approved when this analysis was being conducted. See also the responses above that relate to the timber sale.

*How does this project fit into the overall road policy on the Nez Perce National Forest?* This assessment incorporates a roads analysis, and is consistent with the Forest Service road management strategy shift in emphasis from "transportation development" to "managing access within the capability of the land". New roads are not being proposed, but rather, roads are being decommissioned, and/or recontoured, and removed from the transportation system.

*Explain why information from a higher-level (watershed level) roads analysis was not needed to inform this decision.*

A watershed level roads analysis was completed for this analysis. It is summarized in the EA, pages 32 and 33, and fully documented in the project file (Roads Analysis).

*Given that watershed improvement funds are lacking, how does the priority for this watershed improvement project compare with others?*

Special funding was requested through the National Fire Plan for work in this watershed following the Burnt Flats Fire. This money can only be used to fund analysis and project work in areas affected by the Burnt Flats Fire. Because of that limitation, we did not compare this work to watershed improvement priorities elsewhere.

*It is difficult to determine whether the methods used in Alternative 2 or 3 are more effective.*

The same methods will be used for either alternative. The difference in the alternatives is in the selection of roads to treat, which is based on their existing watershed concerns, and the amount of work (decommission or reconstruction) being done within each action alternative.

## **L. SPECIFICALLY REQUIRED DISCLOSURES**

### **a. Short-term Uses of Man's Environment and the Maintenance and Enhancement of Long-term Productivity**

While the selected action may eventually return some land to timber management, the acres are slight. There will be no significant effect on the short-term uses of man's environment or on the maintenance and enhancement of long-term productivity within the planning area with this decision.

### **b. Unavoidable Adverse Impacts**

The selected action will result in a temporary increase in sediment from the ground disturbing activities. We expect the positive effects of decommissioning these roads will offset the small, temporary increase in sediment.

### **c. Irreversible and Irretrievable Impacts**

Decommissioning the specified roads, converting one segment to OHV trail, improving other road segments, and removing the bridge will create no irreversible or irretrievable commitments of resources.

## **Other Required Disclosures**

### **Findings Required By Other Laws**

#### **National Forest Management Act (NFMA)**

The National Forest Management Act and accompanying regulations require that several specific findings of Forest Plan consistency be documented at the project level. All resource plans and projects must be consistent with the Forest Plan. The selected action is consistent with Forest Plan goals, objectives, and standards. These goals, objectives, and standards are discussed on page 5 of the EA. The goal of the project is to bring the watershed closer to Forest Plan standards.

#### **Tribal Trust Resources and Treaty Rights**

According to the President Clinton's April 29, 1994 memorandum regarding Government-to-Government Relations with Native American Tribal Governments, federal agencies "shall assess the impacts of Federal Government plans, projects, programs, and activities on tribal trust resources and assure that Tribal government rights and concerns are considered during development of such plans, projects, programs, and activities.

We considered potential impacts to Nez Perce Tribal trust resources, including fish, cultural sites, and culturally important plants. The impacts were not significant (refer to EA pages 22-27, to the BEs/BAs in the project file, and the State Historic Preservation Officer concurrence letter). We have consulted/ coordinated with the Tribe to ensure their tribal government rights and concerns have been considered. The consultation and coordination effort is documented in the Project File.

#### **Environmental Justice - Executive Order 12898**

We reviewed the effects of the selected action and find that it will not have any disparate impacts on individual groups of peoples or communities. Implementation of the selected action will produce no adverse effects on minorities, Native Americans, or women. No civil liberties will be affected.

#### **The Endangered Species Act**

We prepared Biological Assessments/Evaluations (project file) and came to agreement with the US Fish and Wildlife Service and National Marine Fisheries Service regarding potential effects on proposed, threatened, and endangered species. The impacts of implementing the selected actions are no-effect for terrestrial plants and animals, and not-likely-to-adversely-affect for fish.

#### **The Clean Air Act**

No smoke will be produced because of this project. The selected action complies with the Clean Air Act.

#### **The Clean Water Act**

The selected action complies with the Clean Water Act. An in-depth discussion of the effects on the aquatic resources can be found on pages 19-22 of the Environmental Assessment. The action alternatives will have minor temporary disturbance to White Bird Creek and the live water crossings where the road work is proposed.

#### **The National Historic Preservation Act**

The selected alternative will have no adverse effect on heritage resource sites. The Idaho State Historic Preservation Office concurs with this finding. Mitigation measures associated with the proposal are designed to protect existing and newly discovered sites during project work.

#### **Idaho Forest Practices Act**

State of Idaho Soil and Water Conservation Practices and Best Management Practices will be implemented.

The action alternatives will not impact any prime farmland or rangelands.

## **FINDING OF NO SIGNIFICANT IMPACT**

Pursuant to 40 CFR 1508.27, we reviewed the potential "significance" of the selected action and concluded that there will be no significant effect on the human environment (including the natural and physical environment and the relationship of people with that environment). No significant irreversible or irretrievable resource commitments will be made, and long-term productivity will not be sacrificed to meet the project objectives. Therefore, an Environmental Impact Statement is not needed. This determination is based on:

### **Context**

1. No short or long-term effects on the nation or society as a whole are foreseen. Effects are limited to the roads identified and, to a minor degree, White Bird Creek. This is addressed in Chapter 4, Environmental Consequences, in the Environmental Assessment (EA) for this project.

### **Intensity**

1. While the overall impacts to this proposal are expected to be beneficial, the impacts on any resources are not significant. For more discussion, please refer to the EA, pages 16-40.
2. The selected action is not expected to have any impacts related to public health or safety. Please see pages 28, and 32 through 34 of the EA for more details.
3. There are no unique characteristics or ecologically critical areas associated with the project area and affected by the proposal. Pages 16-40 of the EA discuss this issue in more detail.
4. The selected action does not contain any unique or unknown risks to the human environment. Pages 16-40 of the EA include more discussion on this issue.
5. None of the known effects associated with the selected action are highly uncertain or involve unique or unknown risks.
6. This action does not set a precedent for other projects that may be implemented to meet the goals and objectives of the Nez Perce Forest Plan.
7. The selected action would produce no significant cumulative effects to the environment. The project EA has a detailed section (pages 16-40) on cumulative effects analysis.
8. Two Cultural Resource sites have been identified within the project area. Mitigation measures associated with the proposal are designed to protect them or any newly discovered sites during project work. We have completed consultation with the State Historic Preservation Office and received a concurrence letter dated June 21, 2002. Pages 39 and 40 of the EA address the cultural resources issue in more detail.
9. There will be no adverse impacts to any federally listed Threatened or Endangered Species. The selected alternative may have indirect beneficial impacts to critical habitat for listed spring/summer chinook salmon. The Forest has completed consultation with both the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service. NMFS has concurred that this project is not likely to adversely affect any threatened or endangered species. The project will have no effect on species that the Fish and Wildlife Service oversees. Impacts to ESA listed species are discussed in detail on pages 22 and 35 of the EA.

10. The selected alternative does not violate any Federal, State, or local laws or requirements imposed for the protection of the environment. Any actions that the U.S. Forest Service proposes to implement must meet this criterion.

### **Appeal Provisions and Implementation**

This decision is subject to appeal pursuant to 36 CFR 215.7. A written Notice of Appeal must be submitted within 45 days after the date of notice of this decision is published in the Lewiston Morning Tribune to:

USDA Forest Service, Northern Region  
ATTN: Appeals Deciding Officer (RFO)  
P.O. Box 7669  
Missoula, MT 59807

Appeals must meet content requirements of 36 CFR 215.14. Detailed records of the environmental analysis are available for public review at the Salmon River Ranger District, White Bird, Idaho. For further information on this decision please contact Jack Carlson, District Ranger, at the Salmon River Ranger District (208) 839-2211, or Darcy Pederson, District Ranger, at the Clearwater Ranger District (208) 983-1963, or Kris Hazelbaker, IDT leader, at (208) 983-1950.

If no appeal is received, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of the appeal disposition.

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JACK CARLSON  
District Ranger  
Salmon River Ranger District

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Date

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DARCY PEDERSON  
District Ranger  
Clearwater Ranger District

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Date